

11:47:24

1 for a hearing?

11:47:28

2 A. Say that one more time.

11:47:29

3 Q. Look at your -- look at your garage of

11:47:34

4 discrimination. And there you say, "I was not given

11:47:36

5 ample time to repair my defense with an attorney."

11:47:39

6 A. I'm saying that an interim superintendent, who

11:47:44

7 had only been there a few months, recommends to the

11:47:48

8 board that I be nonrenewed. And she didn't know

11:47:51

9 anything -- she didn't know me, but she recommends to

11:47:54

10 the board that I be nonrenewed. And then when all this

11:47:57

11 came about and I started reading the policy, reviewing

11:48:00

12 it, it states if an employee -- if the employee desires

11:48:04

13 a hearing after receiving this notice. I -- I could

11:48:08

14 not trust or depend on them to give me a fair hearing

11:48:14

15 after the way I was treated. She's going to draw up

11:48:18

16 charges against me and she doesn't even know me, but I

11:48:24

17 did not choose to have a hearing without an attorney

11:48:27

18 being present.

11:48:28

19 Q. Okay. All right. I understand you're saying

11:48:29

20 that you didn't choose to have a hearing --

11:48:31

21 A. I did not.

11:48:32

22 Q. -- without having an attorney present. Okay.

11:48:36

23 Let's look at what I'm marking as Plaintiff's

11:48:40

24 Exhibit -- Deposition Exhibit Number 8.

11:48:53

25 MR. WAOBIKEZE: Ms. Hisel, do you have an extra

11:48:56

1 copy?

11:48:59

2 MS. HISEL: Oh, yeah. Sorry.

3 BY MS. HISEL:

11:50:39

4 Q. Did that give you -- did I give you a chance to

11:50:42

5 look over the documents there?

6 A. Yes.

11:50:44

7 Q. Are you familiar with the documents?

11:50:45

8 A. I've seen them, yes.

11:50:47

9 Q. Okay. Is that your signature at the top of the

11:50:50

10 first page of the letter dated March 29th, 2005, which

11:50:56

11 is regarding a notice of proposed nonrenewal?

12 A. Yes.

11:50:59

13 Q. Okay. Does this document advise you that the

11:51:05

14 district's governing body, the district's board of

11:51:09

15 trustees, at the board meeting held on March 24th,

11:51:13

16 2005, voted to approve the superintendent's

11:51:16

17 recommendation to nonrenew your employment contract

11:51:18

18 with the district?

19 A. Yes.

11:51:20

20 Q. Did it give you notice of the reasons for the

11:51:26

21 nonrenewal?

11:51:26

22 A. Notice? You mean notice before?

11:51:28

23 Q. Did it give you notice of what the reasons for

11:51:31

24 why they were going to go forward with the proposed

11:51:37

25 nonrenewal?

11:51:37

1 A. Yes.

11:51:38

2 Q. And what were those reasons?

11:51:41

3 A. These that are stated on this page?

11:51:43

4 Q. Yes.

5 A. Yes.

11:51:44

6 Q. Okay. It appears that number 1 is deficiencies

11:51:51

7 pointed out in observation reports, appraisals, or

11:51:54

8 evaluations, supplemental memoranda, or other

11:51:56

9 communications; is that correct?

11:51:57

10 A. That's what it states.

11:51:59

11 Q. Failure to fulfill duties or responsibilities;

11:52:02

12 correct?

11:52:02

13 A. That's what it states.

11:52:04

14 Q. Insubordination or failure to comply with

11:52:08

15 official directives?

11:52:09

16 A. It states that.

11:52:10

17 Q. Failure to comply with board policies or

11:52:13

18 administrative regulations?

19 A. Yes.

11:52:16

20 Q. Failure to meet the district standards of

11:52:18

21 professional conduct?

22 A. Yes.

11:52:20

23 Q. A significant lack of student progress

11:52:25

24 attributable to the educator?

25 A. Yes.

11:52:26

1 Q. And any attempt to encourage or coerce a child
2 to withhold information from the child's parent or from
3 other district personnel?

11:52:29

11:52:31

4 A. Yes.

11:52:33

5 Q. Is any of that true?

6 A. No.

11:52:37

7 Q. It's not?

11:52:38

8 A. No, it's not.

11:52:38

9 Q. None of it?

11:52:39

10 A. None of it.

11:52:48

11 Q. So whoever signed this just made it up; is that
12 correct?

11:53:09

13 A. Like I said, it's not true.

11:53:11

14 Q. So my question is, whoever signed this just
15 made it up?

11:53:13

11:53:14

16 A. Like I stated a few minutes ago, Ann Dixon did
17 not know me, had never met me.

11:53:18

18 Q. Okay.

11:53:25

19 A. How did she come up with things like that when
20 she didn't know anything about me? To my knowledge, I
21 had never laid eyes on her.

11:53:28

11:53:30

22 Q. Did she receive any kind of recommendations
23 from your supervisor?

11:53:34

11:53:37

24 A. I have no idea. Evidently, she did.

11:53:38

11:53:43

25 Q. Okay. So who do you think made these things up

11:53:46

1 because you say they're not true?

11:53:47

2 A. I don't know, ma'am.

11:53:48

3 Q. You don't know? You don't think it was

11:53:52

4 Ms. Dixon -- or Dr. Dixon?

11:53:53

5 A. I don't know.

11:54:00

6 Q. Okay. And did this document provide you with

11:54:03

7 notice that you could request a hearing regarding the

11:54:06

8 board's decision?

11:54:10

9 A. I think I saw that in here, yes.

11:54:16

10 Q. Did you see anything in the document that

11:54:18

11 appears to be a violation of the district's policy

11:54:22

12 regarding the nonrenewal of term contract employees?

11:54:29

13 MR. WAOBIKEZE: Objection, form.

11:54:30

14 A. No, I can't answer that.

15 BY MS. HISEL:

11:54:32

16 Q. Do you think there was anything wrong with the

11:54:34

17 document other than the fact that you think it's not

11:54:36

18 true?

11:54:36

19 A. I cannot answer that either. I don't know what

11:54:38

20 you mean you say anything wrong with the document.

11:54:44

21 Q. Okay. What did you do after you received this

11:54:52

22 letter?

11:54:52

23 A. I think I filed with the Texas Workforce

11:55:05

24 Commission.

11:55:05

25 Q. Let's look at the letter again. The letter is

11:55:08

1 dated March 29th, 2009; correct?

11:55:13

2 A. Which letter?

11:55:13

3 Q. The letter that's in front of you right now.

4 A. Yes.

11:55:16

5 Q. Which is, I think, Exhibit 8. So 19 days

11:55:26

6 earlier on March the 10th, I believe, you received a

11:55:33

7 notice that the superintendent was going to make a

11:55:35

8 recommendation to the board about you --

9 A. Yes.

11:55:39

10 Q. -- on -- on March 10th; right?

11 A. Yes.

11:55:41

12 Q. Nineteen days later, March 29th, you received a

11:55:44

13 letter from Dr. Dixon that she, indeed, had gone

11:55:47

14 forward to the board and made her recommendation;

15 right?

11:55:51

16 A. Yes.

11:55:52

17 Q. And during that 19-day period, did you do

11:55:57

18 anything to say, "This is way off base. All this stuff

11:56:01

19 is bogus. I don't know why you guys are thinking of

11:56:04

20 putting me up for nonrenewal, but this is wrong and I

11:56:07

21 want to tell you why"?

11:56:09

22 A. No, I didn't.

11:56:09

23 Q. Why not?

11:56:14

24 A. Why should I? After Ms. Ruffin's record, why

11:56:19

25 should I?

11:56:19

1 Q. And her record was?

11:56:21

2 A. Her treatment toward me. Why should I?

11:56:24

3 Q. And her treatment toward you was that you were

11:56:27

4 put into a different classroom?

11:56:29

5 A. It was more than that, ma'am.

11:56:31

6 Q. What was it?

11:56:32

7 A. I spoke about the markdowns on the appraisals.

11:56:34

8 Q. Did it affect your salary in any way? Did you

11:56:39

9 get a salary increase every year?

11:56:41

10 A. Yes, but --

11:56:45

11 Q. And I'm sorry if I don't -- if I'm not

11:56:47

12 understanding, help me understand.

11:56:50

13 A. It's not just about salary, ma'am. It was

11:56:54

14 about my integrity, about my profession, about honesty,

11:56:59

15 about a number of things. It wasn't salary.

11:57:05

16 Q. Okay. Well, you talked about honesty,

11:57:09

17 integrity, all of those things. And I admire those

11:57:14

18 things. Nowhere in there did I hear race, sex,

11:57:18

19 discrimination, any of that. And so my question is,

11:57:21

20 are we -- what is the issue? Does it have to do with

11:57:25

21 your feeling of --

11:57:27

22 A. It was not just feelings. There were actions.

11:57:30

23 Q. Such as?

11:57:31

24 A. I started out -- I talked to you about ACE-CMC

11:57:34

25 and I told you about the markdowns on the appraisals